

## 1 QUINN EMANUEL URQUHART &amp; SULLIVAN, LLP

2 Andrew H. Schapiro (admitted *pro hac vice*)  
andrewschapiro@quinnemanuel.com  
3 Teuta Fani (admitted *pro hac vice*)  
teutafani@quinnemanuel.com  
4 191 N. Wacker Drive, Suite 2700  
5 Chicago, IL 60606  
Telephone: (312) 705-7400  
6 Facsimile: (312) 705-7401

Diane M. Doolittle (CA Bar No. 142046)  
dianedoolittle@quinnemanuel.com  
Sara Jenkins (CA Bar No. 230097)  
sarajenkins@quinnemanuel.com  
555 Twin Dolphin Drive, 5th Floor  
Redwood Shores, CA 94065  
Telephone: (650) 801-5000  
Facsimile: (650) 801-5100

7 Stephen A. Broome (CA Bar No. 314605)  
stephenbroome@quinnemanuel.com  
8 Viola Trebicka (CA Bar No. 269526)  
violatrebicka@quinnemanuel.com  
9 Crystal Nix-Hines (CA Bar No. 326791)  
crystalnixhines@quinnemanuel.com  
10 865 S. Figueroa Street, 10th Floor  
11 Los Angeles, CA 90017  
Telephone: (213) 443-3000  
12 Facsimile: (213) 443-3100

Josef Ansorge (admitted *pro hac vice*)  
josefansorge@quinnemanuel.com  
Xi ("Tracy") Gao (CA Car No. 326266)  
tracygao@quinnemanuel.com  
Carl Spilly (admitted *pro hac vice*)  
carlspilly@quinnemanuel.com  
1300 I. Street, N.W., Suite 900  
Washington, D.C. 20005  
Telephone: 202-538-8000  
Facsimile: 202-538-8100

14 Jonathan Tse (CA Bar No. 305468)  
jonathantse@quinnemanuel.com  
15 50 California Street, 22nd Floor  
San Francisco, CA 94111  
16 Telephone: (415) 875-6600  
Facsimile: (415) 875-6700

Jomaire A. Crawford (admitted *pro hac vice*)  
jomairecrawford@quinnemanuel.com  
51 Madison Avenue, 22nd Floor  
New York, NY 10010  
Telephone: (212) 849-7000  
Facsimile: (212) 849-7100

17 *Attorneys for Defendant Google LLC*

## 18 UNITED STATES DISTRICT COURT

## 19 NORTHERN DISTRICT OF CALIFORNIA, SAN JOSE DIVISION

20  
21 CHASOM BROWN, individually and on  
22 behalf of all similarly situated,

23 Plaintiffs,

24 v.

25 GOOGLE LLC,

26 Defendant.  
27  
28

Case No. 5:20-cv-03664-YGR-SVK

**DECLARATION OF NATHANIEL  
SCHNEIDER IN SUPPORT OF  
MOTION TO STRIKE**

Referral: Hon. Susan van Keulen, USMJ

1 I, Nathaniel Schneider, declare as follows:

2 1. I am a Program Manager at Google LLC (“Google”). I have been a Google employee  
3 since June 2019.

4 2. I understand that a document with the Bates number GOOG-BRWN-00857642 has  
5 been withheld from disclosure in this action pursuant to the attorney-client privilege and work  
6 product protection doctrine.

7 3. GOOG-BRWN-00857642 is an email thread that begins with a September 27, 2021  
8 email from me regarding an investigation that I conducted at the direction of in-house counsel  
9 Matthew Kellogg to evaluate certain product features in relation to a regulatory inquiry by the  
10 United Kingdom’s Competition and Markets Authority (“CMA”). Information regarding the  
11 results of this regulatory inquiry is publicly available at  
12 [https://assets.publishing.service.gov.uk/media/62052c52e90e077f7881c975/Google\\_Sandbox\\_.p](https://assets.publishing.service.gov.uk/media/62052c52e90e077f7881c975/Google_Sandbox_.pdf)  
13 [df](https://assets.publishing.service.gov.uk/media/62052c52e90e077f7881c975/Google_Sandbox_.pdf).

14 4. In response to a request from Mr. Kellogg directed to the Chrome team, I was  
15 assigned to conduct this investigation while Google’s negotiations with the CMA were ongoing in  
16 order to ensure that Google accurately described certain product features in its representations to  
17 the CMA. It was and is my understanding that I was conducting this investigation on behalf of Mr.  
18 Kellogg to ensure compliance with our legal commitments to the CMA, to seek and obtain  
19 information necessary for the provision of legal advice, and in aid of Google’s ongoing discussions  
20 with the CMA regarding the regulatory inquiry.

21 5. I added a “Privileged & Confidential” header at the top of the body of several emails  
22 that I sent in this chain, including on November 17, 2021, November 22, 2021, November 25, 2021,  
23 and December 13, 2021. *See* GOOG-BROWN-00857642 at -642, -643, and -644. I had the same  
24 understanding as that described in Paragraph 4 when sending the emails reflected in this chain,  
25 including the first email sent on September 27, 2021. *See* GOOG-BROWN-00857642 at -645.

26 6. I gathered information to be used during the regulatory inquiry and communicated  
27 with certain non-attorney employees to convey Mr. Kellogg’s legal advice regarding Google’s  
28 public commitments to the CMA. GOOG-BROWN-00857642 reflects email correspondence with

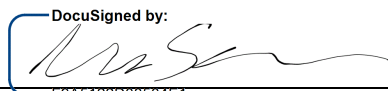
1 Google employees Chandan Giri, Florian Uunk, Chris Liao, Bert Leung, and others. It was and is  
2 my understanding that, in communicating with these non-attorney Google employees, I was acting  
3 on Mr. Kellogg's behalf to convey Mr. Kellogg's legal advice and to obtain information necessary  
4 for Mr. Kellogg to provide further advice to Google regarding its commitments to the CMA.

5 7. It was and is my understanding that the communications described above were  
6 confidential, treated as attorney-client privileged within Google, and were performed at the  
7 direction of Mr. Kellogg as Google in-house counsel to (i) obtain information necessary for the  
8 provision of legal advice; and (ii) convey and discuss the legal advice of counsel regarding an  
9 ongoing regulatory inquiry.

10  
11 I declare under penalty of perjury of the laws of the United States that the foregoing is true  
12 and correct.

13 Executed in Nuremberg, Germany, on September 2, 2022.

14 DATED: September 2, 2022.

15  
16 By   
17 Nathaniel Schneider  
18  
19  
20  
21  
22  
23  
24  
25  
26  
27  
28